

## TITLE 13. MOTOR VEHICLES

### ARTICLE 3.5. MOTOR CARRIERS ~~OF PROPERTY~~ PERMIT PROGRAM

Sections 220.00, 220.02, 220.04, 220.06, 220.08, 220.10, 220.12, 220.14, 220.16, 220.18, 220.20, 221.00, 221.02, 221.04, 221.06, 221.08, 221.10, and 221.12

#### **§220.00. Definitions.**

As used in this article, the following definitions shall apply:

(a) “Administrative costs” shall be defined as attorney fees and support staff costs incurred in determining legal entitlement to all or a portion of the cash deposit(s) or savings account(s) held in assignment(s) pursuant to Vehicle Code ~~§~~section 34631(c).

(b) An “applicant” shall be defined as a motor carrier ~~of property~~ applying as an original applicant for or a current holder of a motor carrier permit.

(c) An “assignor” shall be defined as a motor carrier ~~of property~~ who is granted a certificate of self-insurance.

(d) The “Deputy Director” shall be defined as the deputy director of the Department of Motor Vehicles for the ~~s~~State of California, who administers the Motor Carrier ~~of Property~~ Permit Program.

(e) The “Director” shall be defined as the Director of Motor Vehicles for the ~~s~~State of California and any other department employee designated to act on behalf of the Director.

(f) A “fictitious name” as used in Vehicle Code ~~§~~section 34621(b)(1) shall be defined as a DBA (Doing Business As) and/or a trade name.

~~(g) A “leased vehicle” shall be any vehicle leased or rented and operated for 31 continuous days or more during the Motor Carrier’s last annual permit period and under authority of the Motor Carrier Permit.~~

~~(h) (g)~~ “Licensed to write insurance in this state” as stated in Vehicle Code ~~§~~section 34631 shall be defined ~~mean the same~~ as an “admitted insurer” as stated in Insurance Code ~~§~~section 700.

(h) A “motor carrier” shall be defined as a business entity who operates vehicles in California and participates or qualifies to participate in the Motor Carrier Permit program.

(i) A “permit term” shall be defined as twelve (12) months starting on the first day of the month that the original application was received and ending on the last day of the following 12<sup>th</sup> month. The permit term shall establish the annual renewal date.

(j) For the purpose of this article, the terms “Motor Carrier of Property Permit” and “Motor Carrier Permit” shall be used interchangeably.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 34621 and 34631, Vehicle Code; and Section 700, Insurance Code.

#### **§220.02. Application for a Motor Carrier ~~of Property~~ Permit.**

(a) An applicants for an original Motor Carrier ~~of Property~~ Permit shall complete, sign and certify, under penalty of perjury under the laws of the State of California, an Application for Motor Carrier ~~of Property~~ Permit; form [DMV 706 MCP (REV. 4/98 4/2003)], which is hereby incorporated by reference.

(b) A change of ~~M~~motor ~~C~~carrier ownership status shall ~~be made by completing a~~ require a completed Application for Motor Carrier Permit form; [DMV 706 MCP (REV. 4/98 4/2003)], signed under penalty of perjury under the laws of the State of California. This change ~~which~~ shall be processed as an original application.

(1) A change of a motor carrier's Employer Identification Number (EIN) requires a new application.

(c) A change of Motor Carrier name shall be made by completing a require a completed Notice of Change form, [DMV MCP (REV. 4/98)] [DMV 152 MCP (REV. 8/2002)] signed under penalty of perjury under the laws of the State of California indicating a change of name. The Notice of Change form is hereby incorporated by reference.

(d) An addition or deletion of "DBA" name or trade name shall require a completed and signed Notice of Change form [DMV 152 MCP (REV. 8/2002)].

(e) A change of motor carrier physical or mailing address shall require a completed and signed Notice of Change form [DMV 152 MCP (REV. 8/2002)] indicating a change of address within ten (10) days of the change.

~~(d)~~ (f) A list of vehicles shall be submitted with an original, reinstatement and renewal application and contain the full Vehicle Identification Number (VIN), license plate number and state of plate issuance for all motor vehicles the motor carrier intends to use during the permit period.

~~(e)~~ (g) The department shall notify an applicant, in writing within 7 ten (10) days of receipt of the application, that it is complete or deficient.

(1) An application is considered complete when the applicable requirements of the Motor Carriers of Property Permit Act and these regulations have been fulfilled.

(A) With the determination that an application is complete, a permit shall be issued.

(2) An application is considered deficient when the applicable requirements of the Motor Carriers of Property Permit Act and these regulations are not fulfilled.

(A) With the determination that an application is deficient, the department shall identify the specific requirement(s) needed to complete the application.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 1652, 1653, 34621, and 34632, Vehicle Code; and Section 15376, Government Code.

#### **§220.04. Expiration and Renewal of a Motor Carrier Permit.**

(a) A Renewal Application for Motor Carrier Permit form [DMV 706 MCP (REV. 4/98)] [DMV 134 MCP-I, DMV 134 MCP-P, DMV 134 MCP-L, DMV 134 MCP-LC, or DMV 134 MCP-C (Rev. 12/2000)], which are hereby incorporated by reference, shall be completed and submitted to the department, prior to the date of expiration, when a Motor Carrier applies for renewal after the expiration date of a Motor Carrier Permit. Reactivation of a Motor Carrier Permit may be authorized by the department for up to 30 days after the date of expiration. An application received by the department more than 30 days after the date of expiration will be considered a new application and a new expiration date will be assigned.

(b) The permit term shall remain the same unless the permit is withdrawn pursuant to Section 220.18 of these regulations or is suspended or revoked pursuant to California Vehicle Code sections 34505.6, 34623, or 34624(d).

(c) A permit term shall be limited to 12 months.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 1652, 34620, and 34621, Vehicle Code.

#### **§220.06. Motor Carrier Financial Responsibility.**

(a) Acceptable proof of financial responsibility, pursuant to Vehicle Code §section 34630, shall be submitted to the department in the form of a Certificate of Insurance, [DMV 65 MCP (Rev. 3/98 REV. 7/2002)] pursuant to Vehicle Code section 34631(a); or a surety bond, [DMV 55

MCP (~~NEW 10/97~~ REV. 8/2002)] pursuant to Vehicle Code section 34631(b); or a Certificate of Self-Insurance, [DMV 131 MCP (~~NEW 4/98~~ 4/98)] pursuant to Vehicle Code section 34631(c), which are hereby incorporated by reference.

(1) The Certificate of Insurance [DMV 65 MCP (REV. 7/2002)] shall be submitted to the department by the motor carrier's insurance provider.

~~(1)~~ (2) Proof of financial responsibility pursuant to Division 7, Vehicle Code, ~~Section~~ 16000 et seq., shall not be substituted for the proof required for a Motor Carrier Permit.

~~(2)~~ (3) The name of the ~~M~~motor ~~C~~carrier on the ~~e~~Certificate of ~~i~~Insurance, surety bond or ~~s~~Self-~~i~~Insurance ~~e~~Certificate shall match the name of the ~~M~~motor ~~C~~carrier entered in Part ~~4~~ 2 of an Application for Motor Carrier Permit ~~a~~-form [DMV 706 MCP, (REV. ~~4/98~~ 4/2003)].

(b) ~~An~~ Liability Insurance Policy Endorsement, [DMV 67 MCP (REV. ~~4/98~~ 6/2001)], which is hereby incorporated by reference, amending the insurance policy to comply with insurance requirements imposed by the Motor Carriers of Property Permit Act, commencing ~~at~~ with Vehicle Code ~~Section~~ 34630, shall be attached to, and made part of, the insurance policy insuring the ~~M~~motor ~~C~~carrier. ~~Another department-approved version of the form with a different revision date shall be acceptable if the content of the form is in substantial compliance with the requirements of this section.~~

(1) The ~~Liability~~ Insurance Policy Endorsement, [DMV 67 MCP (REV. ~~4/98~~ 6/2001)] shall be retained by the insurer and a copy provided to the insured ~~M~~motor ~~C~~carrier.

(2) A duplicate and all related documentation shall be provided to the department upon request.

(c) Written notice of cancellation of the ~~e~~Certificate of ~~i~~Insurance, required under Vehicle Code ~~Section~~ 34630(b), shall be submitted by the insurer to the department on a Notice of Cancellation of Insurance, [DMV 66 MCP (REV. ~~42/97~~ 6/2001)], which is hereby incorporated by reference.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 1652, 34630, 34631 and 34631.5, Vehicle Code.

#### **§220.08. Verification of Vehicles Used by Motor Carriers.**

(a) The annual list of motor vehicles, pursuant to Vehicle Code ~~Section~~ 34632, shall be submitted to the department upon original application, renewal or reinstatement ~~or reactivation~~ of a Motor Carrier Permit, ~~and~~ The list shall contain the full Vehicle Identification Number (VIN), license plate number and state of plate issuance for all motor vehicles used in transportation during the previous permit ~~period~~ term. The requirement to furnish the department with an annual list ~~prepared under oath~~ shall be satisfied by submitting the annual list ~~a certification signed and certified~~ under penalty of perjury under the laws of the State of California.

(b) Each motor ~~leased~~ vehicle operated under the Motor Carrier Permit ~~as defined in section 220.00 for thirty-one (31) days or longer~~ shall be included in the list of motor vehicles ~~required to be~~ submitted in accordance with Vehicle Code ~~Section~~ 34632, upon renewal or reinstatement.

(1) This list shall include vehicles owned, rented, leased, or used on a seasonal or independent contract basis under the authority of the Motor Carrier Permit.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Section 34632, Vehicle Code.

#### **§220.10. Motor Carriers' Employees.**

(a) The annual report of employees and owner-operator drivers, pursuant to Vehicle Code ~~S~~section 34633, shall be submitted to the department by a ~~M~~motor ~~C~~carrier with a carrier fleet of twenty (20) or more commercial motor vehicles, upon renewal or reinstatement of a Motor Carrier Permit.

~~(b) The report shall contain include the total number those of employees-classifications that operate a motor vehicle under the Motor Carrier Permit. This shall include drivers and mechanics. The report shall contain the total number of persons for each classification (job titles) and compensation (annual gross salary) of all employees and owner-operator drivers hired or engaged during the reporting period. and owner-operator drivers, employee-classifications (job titles), and compensation (annual gross salary).~~

~~(b)~~ (c) The requirement to file a report ~~under oath~~ shall be satisfied by submitting the list in the form of a sworn statement signed under the penalty of perjury under the laws of the State of California.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 34633 and 34640, Vehicle Code.

### **§220.12. Owner-Operators.**

(a) A ~~M~~motor ~~C~~carrier may submit a written statement to the department, within fifteen (15) calendar days of the date of service of the order of suspension, showing why good cause exists not to suspend the Motor Carrier Permit pursuant to Section 34624(d) of the Vehicle Code.

(b) Good cause pursuant to Vehicle Code ~~S~~section 34624(d) shall be as follows:

(1) The motor vehicle(s) listed under an owner-operator's Motor Carrier Permit authority shall be operated by family members and other drivers who are enrolled in the department's Employer Pull Notice system, pursuant to Vehicle Code Ssection 1808.1(a) and (e);. This requirement shall be fulfilled prior to operating any motor vehicle identified in Vehicle Code Ssection 1808.1(4) (k) and under the owner-operator's Motor Carrier Permit. permit authority.

(2) The motor vehicle(s) listed under an owner-operator's Motor Carrier Permit authority shall be operated by casual drivers, pursuant to as defined in Vehicle Code Ssection 1808.1(4)(j), and under the owner-operator's Motor Carrier Permit. and

(3) ~~†~~The owner-operator shall have possession of the casual driver's current public record prior to driving operating any motor vehicle defined identified in Vehicle Code Ssection 1808.1(4)(k) and operated under the owner-operator's Motor Carrier pPermit authority.

(c) An owner-operator whose Motor Carrier Permit has been suspended pursuant to Vehicle Code ~~S~~section 34624(d) shall not be entitled to a hearing to show why the permit should not be suspended.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 1808.1 and 34624, Vehicle Code.

### **§220.14. Reinstatement Fee.**

There shall be one reinstatement fee due after a single, overlapping or concurrent suspension period. Payment may be made upon receipt of the notice of suspension. Checks or money orders shall be made payable to the Department of Motor Vehicles and mailed to the following address: Department of Motor Vehicles, Motor Carrier Permit Branch, Mail Station G875, P. O. Box 932370, Sacramento, CA 94232-3700.

NOTE: Authority cited: Sections 1651 and 34604 Vehicle Code Reference: Section 34623.5 Vehicle Code

### **§220.1416. Workers' Compensation.**

(a) Acceptable evidence of compliance ~~to~~ with Workers' Compensation laws, pursuant to Vehicle Code ~~Section~~ 34640(a)(1), shall be submitted to the department on a Certificate of Insurance form; [DMV 65 MCP (REV. ~~3/98~~ 7/2002)] or Workers' Compensation letter, [SCIF 10262 (REV. ~~3/95~~ 5/01)] or [SCIF 10265 (no revision date)], which are hereby incorporated by reference or certification of consent to self-insure issued by the Director of Industrial Relations pursuant to Vehicle Code section 34640(a)(2).

(b) An applicant for a Motor Carrier ~~of Property~~ Permit that does not employ any persons in the ~~M~~motor ~~C~~carrier operation shall certify on an Application for Motor Carrier Permit form [DMV 706 MCP (REV. ~~4/98~~ 4/2003)], under penalty of perjury under the laws of the ~~s~~State of California, that as a ~~M~~motor ~~C~~carrier ~~of property~~, no person is employed in any manner so as to become subject to California Workers' Compensation laws pursuant to Vehicle Code section 34640(a)(3).

(c) A ~~M~~motor ~~C~~carrier ~~permitholder~~ ~~which~~ ~~that~~ becomes subject to California Workers' Compensation laws shall file with the department, within thirty (30) days, a certificate of workers' compensation coverage pursuant to Vehicle Code ~~S~~section 34640(a)(1), or certification of consent to self-insure issued by the Director of Industrial Relations pursuant to Vehicle Code ~~S~~section 34640(a)(2).

(d) Departmental notification of cancellation of insurance shall be on a Notice of Cancellation of Insurance form; [DMV 66 MCP (REV. ~~12/97~~ 6/2001)] or Workers' Compensation Notice of Cancellation letter [SCIF 19102 (NO REVISION)], which are hereby incorporated by reference, ~~and submitted 30 days prior to the cancellation.~~

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 1652, 34621(b)(7) and 34640, Vehicle Code.

### **§220.1618. Voluntary Withdrawal.**

(a) ~~A~~ ~~M~~motor ~~carriers~~ ~~of property~~, who wishes to cease operations as a permitted motor carrier ~~of property~~, prior to canceling or terminating liability insurance, ~~may~~ shall submit a written request on an application for Request for Voluntary Withdrawal from the Motor Carriers of Property Permit Program form; [DMV 716 MCP (~~NEW 1/98~~) (REV. 6/2001)] which is hereby incorporated by reference.

(b) A refund of the fees for the next permit term shall only be issued when the vehicle will not be operated intrastate in California during the next permit term, and the term of the permit has not yet begun.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Section 34630(b), Vehicle Code.

### **§220.20. Seasonal Operations.**

(a) A seasonal permit shall be issued for a period of no less than six (6) months and no more than eleven (11) months within an assigned twelve (12)-month permit term.

(1) The months may or may not be contiguous.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Section 7236(a)(3) Revenue and Taxation Code.

## **CERTIFICATE OF SELF INSURANCE**

## **§221.00. Requirements to Self-Insure.**

Qualifications as a self-insurer shall include all of the following requirements:

(a) The applicant shall have more than twenty-five (25) motor vehicles registered in the name of the motor carrier on the Application for Motor Carrier of Property Permit application form [DMV 706 MCP (REV. ~~4/98~~ 4/2003)].

(b) The applicant shall complete and submit to the department an assignment(s) of a cash deposit(s) or savings account(s) equal to the monetary amounts ~~pursuant to~~ as specified in Vehicle Code Section 34631.5, subdivision (a), paragraphs (1) and (2) of the Vehicle Code and an additional \$5,000 to offset potential administrative costs along with the Assignment to the Department of Motor Vehicles [DMV 133 MCP, (~~NEW 1/98~~ REV. 8/2002)], which is hereby incorporated by reference, assigning the money to the department.

(c) The applicant shall have no unsatisfied final judgment(s) against the motor carrier name, the "Doing Business As" (DBA) name, or trade names listed on the Application for Motor Carrier of Property Permit form [DMV 706 MCP (REV. ~~4/98~~ 4/2003)] resulting from property damages and/or bodily injury (including death) caused by a motor vehicle accident.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Section 34630, Vehicle Code.

## **§221.02. Application to Self-Insure.**

(a) An applicant requesting a Certificate of Self-Insurance [DMV 131 MCP (~~NEW 1/98~~ 4/98)] shall complete, sign and certify under penalty of perjury under the laws of the ~~s~~State of California, an Application for a Certificate of Self-Insurance form [DMV 130 MCP (REV. ~~2/98~~ 7/2002)], which is hereby incorporated by reference, to the department. The application shall be processed at no charge.

(b) The applicant shall indicate the level of financial responsibility requested and statutorily required for the type of commercial transportation operation(s) specified in Vehicle Code Section 34631.5, subdivision (a), paragraphs (1) and (2) of the Vehicle Code.

(c) The department shall consider and may approve the Application for a Certificate of Self-Insurance in accordance with the provisions of Division 14.85 of the Vehicle Code and Sections 221.00 et seq. of Title 13, Division 1, Chapter 1 of the California Code of Regulations.

(d) The department shall notify an applicant, in writing within seven (7) days of receipt of an application, that it is complete or deficient.

(1) An application is considered complete when the applicable requirements of the Motor Carriers of Property Permit Act self-insurance statutes and these regulations have been fulfilled.

(A) With the determination that an application is complete, a certificate shall be issued.

(2) An application is considered deficient when the applicable requirements of the Motor Carriers of Property Permit Act self-insurance statutes and these regulations are not fulfilled.

(A) With the determination that an application is deficient, the department shall identify the specific requirement(s) needed to complete the application.

(e) An applicant shall respond in ten (10) days with supporting data requested by the department to determine initial eligibility as a self-insurer. Failure to respond ~~shall~~ may cause immediate cancellation of the application.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Section 34630, 34631 and 34631.5, Vehicle Code; and Section 15376, Government Code.

## **§221.04. Assignment of Funds to the Department.**

After approval, an applicant shall assign funds to the department in the manner described in this section.

(a) The applicant shall assign ~~a~~ one or more cash deposits or savings accounts that accumulatively containing the monetary amounts specified in Vehicle Code Section 34631.5, subdivision (a), paragraphs (1) and (2) of the Vehicle Code.

(b) The assignment of the monetary amount may be accepted on more than one assignment form, an Assignment for a Motor Carrier ~~of Property~~ Certificate of Self-Insurance form [DMV 133 MCP (~~NEW 4/98~~ REV. 8/2002)].

(c) In addition to the statutorily required amount, the applicant shall deposit an additional \$5,000 to offset potential administrative costs. Administrative costs that exceed \$5,000 shall be paid out of the principal.

(d) An account shall be held in a bank(s) ~~and/or savings association(s)~~ guaranteed by the Federal Deposit Insurance Corporation (FDIC); a savings association(s) guaranteed by the Savings Association Insurance Fund (SAIF); and/or a credit union(s) guaranteed by the National Credit Union Administration (NCUA). ~~and The financial institutions holding the funds assigned to the department shall have a physical office located in California.~~

(e) The applicant shall instruct the financial institution(s) to prepare and forward to the department an Assignment for a Motor Carrier Certificate of Self-Insurance to the Department of Motor Vehicles, [DMV 133 MCP (~~NEW 4/98~~ REV. 8/2002)] assigning the above described ~~money funds~~ to the department.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 34630 and 34631.5, Vehicle Code.

#### **§221.06. Issuance of the Certificate of Self-Insurance.**

(a) After the application and assignment(s) are approved, the department shall issue a Certificate of Self-Insurance [DMV 131 MCP (~~NEW 4/98~~ 4/98)], which shall contain an assigned number that serves as written evidence of self-insurance.

(b) The Certificate of Self-Insurance shall only serve as proof of financial responsibility under Vehicle Code Section 34631.5, subdivision (a), paragraphs (1) and (2) of the Vehicle Code.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Section 34630(b), Vehicle Code.

#### **§221.08. Cancellation of the Certificate of Self-Insurance.**

(a) Cancellation of a Certificate of Self-Insurance [DMV 131 MCP (~~NEW 4/98~~ 4/98)], which is hereby incorporated by reference, and self insurance status shall may be include, initiated by the ~~but not be limited to, department for~~ the following:

(1) Failure to maintain the requirements for obtaining a certificate pursuant to Section 221.020 of Title 13, Division 1, Chapter 1 of the California Code of Regulations.

(2) Failure to submit data in ten (10) days that is requested by the department to investigate and determine ongoing eligibility.

(3) Failure to provide adequate financial responsibility or greater financial responsibility that may be required in the future as a result of a change in statute.

(b) The department retains the authority to cancel the ~~c~~Certificate of ~~s~~Self-Insurance and self insurance status if the ~~Applicant~~ motor carrier fails to provide adequate financial responsibility as required in Vehicle Code Division 14.85, Section 34630 of the Vehicle Code.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Sections 34630 and 34631, Vehicle Code.

#### **§221.10. Disbursement of Assignment.**

(a) The assignment gives the Director the authority to disburse money from the principal and from the \$5,000 set aside for administrative costs.

(b) The money shall be disbursed for the following purposes:

(1) A final unsatisfied judgment against the assignor, to the limits set forth in Vehicle Code Section 34631.5, subdivision (a), paragraphs (1) and (2), for damages to or destruction of property (other than the property being transported by the carrier), or bodily injury or death to any person arising from the use or operation of a motor vehicle under the ~~authority of the~~ Motor Carrier Permit.

(2) Administrative costs incurred by the department to determine legal entitlement to all or a portion of the cash deposit(s) or savings account(s). Costs that exceed \$5,000 shall be paid out of the principal.

(3) If the Director, the department, any of its officers or employees, or the ~~s~~State of California is a defendant in any action instituted to recover all or any part of the assigned account, or any action is instituted by the Director, the department, or the ~~s~~State of California to determine those entitled to any part of the account, the department shall be reimbursed for ~~attorney fees~~ administrative costs from the account(s).

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Section 34630, Vehicle Code.

#### **§221.12. Termination of Assignment.**

(a) A request for termination submitted on a Request to Terminate Self Insurance form [DMV 132 MCP (~~NEW 2/98~~ REV. 3/2001)] ~~and accepted by the department or Director~~ shall be deemed a termination of the assignment of the cash deposit(s) or savings account(s) and ~~shall thus terminate the self-insurance status.~~ The termination document shall be processed at no charge.

(b) The Director ~~may~~ shall release the money held by the assignment to the assignor seven years after ~~a written request is received by the department if the Director is satisfied that there are no outstanding claims and judgments against the self-insured.~~ the termination of the Motor Carrier Permit; or acceptable proof of financial responsibility pursuant to Vehicle Code section 34630 is submitted to the department in the form of a Certificate of Insurance, [DMV 65 MCP (REV. 7/2002)] or a surety bond, [DMV 55 MCP (REV. 8/2002)]; or receipt of an incomplete Application for Motor Carrier Permit form [DMV 706 MCP (REV. 4/2003)] with no further activity. The Director may utilize his/her discretion and release the assignment before the seven year period is complete when he/she is satisfied that there are no outstanding claims and unsatisfied final judgments against the motor carrier or former motor carrier. A judge of a superior court may order the return of the money held by the assignment prior to the expiration upon evidence satisfactory to the judge that there are no outstanding claims against the money held by the assignment.

(c) The assignment shall be released when the Director orders the assigned account(s) returned.

NOTE: Authority cited: Sections 1651 and 34604, Vehicle Code. Reference: Section 34630, Vehicle Code.